

5464. Adulteration and misbranding of "Lucca Cream Salad Olive Oil."
U. S. * * * v. Bernard Karp. Plea of guilty. Fine, \$20. (F. & D.
No. 8127. I. S. No. 3892-L.)

On April 27, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Bernard Karp, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on May 4, 1916, from the State of New York into the State of Massachusetts, of a quantity of an article labeled in part, "Lucca Cream Salad Olive Oil," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Appearance: Slightly cloudy, strongly greenish color.

Odor: Somewhat peculiar, sourish in character.

Taste: Strongly burning after-sensation in back of throat.

Free acids as oleic (per cent)----- 17.6

The abnormal odor and taste, and the high percentage of free acids, indicating a considerable degree of decomposition of the olive oil glycerides, denote a very inferior grade of olive oil.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

Misbranding was alleged for the reason that the statement appearing on the label concerning the article and the ingredients and substances contained therein, to-wit, "Guaranteed Strictly Pure—Olio D'Oliva di Lucca Sopraffino Extra Garantito," was false and misleading in that it represented to purchasers that said article was a pure olive oil of high grade; and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was a pure olive oil of high grade, whereas, in fact and in truth, it was not, but was an olive oil consisting in part of a filthy, decomposed, and putrid vegetable substance.

On May 2, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$20.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*